

**CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: July 14, 2009 Name: Richard G. Lione, Reg. No. 19,795 Signature: /Richard G. Lione/

**BRINKS  
HOFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Akio Taniguchi et al.

Appln. No.: 10/587,472

Filed: July 27, 2006

For: THERMOPLASTIC ELASTOMER  
COMPOSITION AND MOLDED ARTICLE

Docket No: 5404/165

Examiner: Jeffrey C. Mullis

Art Unit: 1796

Conf. No.: 5181

**TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

**Attached is/are:**

- ☒ Transmittal; Second Supplemental Information Disclosure Statement; Form PTO-1449; and Copies of References C1-C4.

**Fee calculation:**

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_ - month extension of time under 37 CFR § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 CFR § 1.17(\_\_\_\_) .
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	OR	Rate	Add'l Fee
Total		Minus			x \$26=			x \$52=	
Indep.		Minus			x 110=			x \$220=	
First Presentation of Multiple Dep. Claim					+\$195=			+ \$390=	
					Total	\$		Total	\$

**Fee payment:**

- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_ for \_\_\_\_\_.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

July 14, 2009  
Date

/Richard G. Lione/  
Richard G. Lione (Reg. No. 19,795)

I hereby certify that this correspondence is being  
Electronically Transmitted on the date noted below to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
July 14, 2009

Date of Deposit  
Richard G. Lione, Reg. No. 19,795

Name of applicant, assignee or  
Registered Representative  
/Richard G. Lione/

Signature  
July 14, 2009

Date of Signature

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## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

In accordance with the duty of disclosure under 37 CFR §1.56 and §§1.97-1.98,  
and more particularly in accordance with 37 CFR §1.97(c), Applicant hereby cites the  
following reference(s):

FOREIGN PATENT DOCUMENTS		
DOCUMENT NO.	DATE	COUNTRY
EP 1 475 397 A1	11/10/2004	EPO
EP 1 541 595 A1	06/15/2005	EPO
WO 2004/013192 A1	02/12/2004	WIPO

**OTHER ART – NON PATENT LITERATURE DOCUMENTS**

Supplementary European Search Report from Application No. EP 05 70 9267, dated June 17, 2009, 3 pages.

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 CFR §1.98(a)(2). Applicant respectfully requests the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 CFR §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 CFR §1.56(a).

The Applicant or Applicants certifies under 37 CFR §1.97(e)(1) that each item of information in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference). Accordingly, Applicant has calculated no fee to be due in connection with the filing of this Information Disclosure Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Information Disclosure Statement to a deposit account, as authorized in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

July 14, 2009

Date

/Richard G. Lione/

Richard G. Lione  
(Reg. No. 19,795)